PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Bergman, et al.	Examiner: Dao, Thuy Chan
Serial No.:	10/630,959	Group: Art Unit 2192
Filed:	July 30, 2003	Docket: YOR920030056US1 (8728-607)
For:	**SYSTEMS AND METHODS FOR GENERATING AND DISTRIBUTING EXECUTABLE PROCEDURES FOR TECHNICAL DESK-SIDE SUPPORT**	

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Commissioner for Patents
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AMENDMENT UNDER 37 U.S.C. §1.116

This amendment is in response to the Final Office Action mailed August 11, 2008.

Please consider the following amendments and remarks.

AMENDMENTS TO THE CLAIMS

Cancel Claims 30-34 without prejudice.

Listing of claims:

1-19. (Canceled)

20. (Previously Presented) A system for generating a reusable executable procedure, comprising:

a client device comprising an application for monitoring and recording a procedure that is performed using said client device and generating an execution trace representing an instance of said procedure;

a procedure trace repository for storing stored execution traces associated with instances of said procedure; and

a server for processing said execution trace and said stored execution traces to generate said reusable executable procedure, wherein said procedure can be automatically performed on the client by invoking the reusable executable procedure.

21. (Original) The system of claim 20, further comprising a library for storing reusable executable procedures.

22. (Original) The system of claim 20, wherein the server distributes a reusable executable procedure to a client device comprising an execution engine for executing said reusable executable procedure.

23. (Original) The system of claim 22, wherein said reusable executable procedure is executed for upgrading software residing on the client device.

24. (Original) The system of claim 22, wherein said reusable executable procedure is executed for providing diagnostic support.

25. (Original) The system of claim 22, wherein an execution engine of a client device comprises means for allowing a user to manually execute at least a portion of said reusable executable device and generating an execution trace representing said manual execution, wherein said execution trace representing said manual execution is processed by said server to augment said reusable executable procedure.

26. (Previously Presented) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for generating a reusable executable procedure, the method steps comprising:

obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure; and

processing said execution traces to create a reusable executable procedure associated with said procedure, wherein said procedure can be automatically performed by invoking the reusable executable procedure.

27. (Original) The program storage device of claim 26, wherein the instructions for obtaining an execution trace comprise instructions for monitoring and recording a sequence of actions that are performed by an individual when executing an instance of said procedure.

28. (Original) The program storage device of claim 26, wherein the instructions for processing said execution traces comprise instructions for performing the steps of:

aligning said execution traces to identify corresponding steps between said execution traces; and

generalizing said aligned execution traces to generate said reusable executable procedure.

29. (Original) The program storage device of claim 26, further comprising instructions for performing the step of augmenting said reusable executable procedure using an execution trace that is obtained during execution of said reusable executable procedure.

30-34. (Canceled)

REMARKS

Claims 20-29 are pending. Claims 20 and 26 are the pending independent claims. Reconsideration of the rejections is respectfully requested in view of the amendments and remarks.

Claims 20-34 stand rejected under 35 USC 102(e) as being anticipated by Messinger (US Patent No. 7,000,187). The Examiner stated essentially that Messinger teaches all of the limitations of Claims 20-34.

Referring to Claim 20:

Claim 20 claims, *inter alia*, "*a server for processing said execution trace and said stored execution traces to generate said reusable executable procedure, wherein said procedure can be automatically performed on the client by invoking the reusable executable procedure.*"

Messinger teaches a method for displaying a sequence of instructions associated with a task in a graphical overlay, for example, for software training (see Abstract). Messinger does not teach "a server for processing said execution trace and said stored execution traces to generate said reusable executable procedure." Referring to the Response to Arguments; the Examiner has suggested various teachings of Messinger as being analogous to the limitation at issue. Respectfully, as a general matter the teachings of Messinger are related to an entirely different field; Messinger teaches how an "on-line coach" operates based on user (trainee) input (see col. 2, lines 4-8). An "on-line coach" is not analogous to "a server for processing said execution trace and said stored execution traces to generate said reusable executable procedure," as claimed in Claim 20. Where Messinger arguably overlaps the present application in terms of technological field is at col. 9, lines 61-65. Here, and here alone, Messinger teaches that "a new task sequence

is recorded." Messinger does not teach any detail about the recording. More particularly, Messinger does not teach that the recorded the new task is processed with "said stored execution traces to generate said reusable executable procedure", essentially as claimed in Claim 20; Messinger simply records a new task with concern for any previously stored tasks. Each task of Messinger is treated individually.

Further, Messinger's new task is not analogous to the claimed reusable executable procedure; for example, the new task of Messinger is response to users actions and cannot advance until advance until a user action is completed (see FIG. 6B, blocks 260-275). Such a user prompted task is clearly not automatically performed, essentially as claimed in Claim 20. The tasks of Messinger are not automatic.

For at least the foregoing reasons, Messinger fails to teach all the limitations of Claim 20.

Referring now to Claim 26:

Claim 26 claims, *inter alia*, "*obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure; and processing said execution traces to create a reusable executable procedure associated with said procedure, wherein said procedure can be automatically performed by invoking the reusable executable procedure.*"

Messinger teaches a method for displaying a sequence of instructions associated with a task in a graphical overlay, for example, for software training (see Abstract). Messinger does not teach "obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure; and processing said execution traces to create a reusable executable procedure associated with said procedure" as claimed in Claim 26. Although Messinger arguably teaches a process of recording a new task sequence (in block 385 of FIG. 8),

Messinger fails to teach "obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure; and processing said execution traces to create a reusable executable procedure associated with said procedure" - for example, Messinger merely adds a new task to a task list. Messinger does not teach that the recorded the new task is processed with other tasks to create a reusable executable procedure essentially as claimed in Claim 26; here Applicants emphasize the plurality of "execution traces" processed as opposed to Messinger's individually maintained tasks. There is no processing of multiple tasks by Messinger to create a reusable executable procedure, essentially as claimed. Therefore, Messinger fails to teach all the limitations of Claim 26.

For the foregoing reasons Claims 20 and 26 are believed to be allowable over Messinger. Claims 21-25 depend from Claim 20. Claims 27-29 depend from Claim 26. The dependent claims are believed to be allowable for at least the reasons given for the respective independent claims. Claims 30-34 have been canceled. Reconsideration of the rejection is respectfully requested.

Claims 20 and 26 stand rejected under 35 USC 102(e) as being anticipated by Bala (US Patent Application No. 2004/0130572). The Examiner stated essentially that Bala teaches all of the limitations of Claims 20-34.

Referring to Claim 20:

Claim 20 claims, *inter alia*, "*a server for processing said execution trace and said stored execution traces to generate said reusable executable procedure, wherein said procedure can be automatically performed on the client by invoking the reusable executable procedure.*"

Bala teaches methods for authoring and executing wizards, wherein wizards are updated through a feedback system (see Abstract). Bala fails teach "a server for processing said execution trace and said stored execution traces to generate said reusable executable procedure, wherein said procedure can be automatically performed on the client by invoking the reusable executable procedure" as claimed in Claim 20. Bala merely teaches how a user can create script for a task (see paragraphs [0074-000079]). Bala is totally devoid of description related multiple scripts, much less "processing said execution trace and said stored execution traces to generate said reusable executable procedure," as claimed in Claim 20. Referring to the Response to Arguments; Applicants point to the claimed processing of multiple execution traces ("said execution trace and said stored execution traces") to generate a reusable execution procedure. Bala is limited to the treatment of single scripts and nowhere discloses how to process multiple scripts to generate a reusable execution procedure. Therefore, Bala fails to teach all the limitations of Claim 20.

Referring now to Claim 26:

Claim 26 claims, *inter alia*, "*obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure; and processing said execution traces to create a reusable executable procedure associated with said procedure, wherein said procedure can be automatically performed by invoking the reusable executable procedure.*"

Bala teaches methods for authoring and executing wizards, wherein wizards are updated through a feedback system (see Abstract). Bala does not teach the process of "obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a

procedure; and processing said execution traces to create a reusable executable procedure associated with said procedure" as claimed in Claim 26. Bala merely teaches how a user can create script for a task (see paragraphs [0074-000079]). Bala is totally devoid of description related multiple scripts. Bala's method creates a script from a document, parsing the document to identify steps (see paragraph [0074]). Creating a script from a document is clearly not analogous to the generation of a reusable executable procedure from multiple execution traces, essentially as claimed in Claim 26. Stated another way, consider that a document is not a script; the script of Bala is not created based on other scripts, essentially as claimed in Claim 26. Therefore, Bala fails to teach all the limitations of Claim 26.

The Examiner's reconsideration of the rejection is respectfully requested.

Claim 30 stands rejected under 35 USC 102(b) as being anticipated by Mayuzumi (US Patent No. 6,134,644). The Examiner stated essentially that Mayuzumi teach all of the limitations of Claim 30.

Claim 30 has been canceled.

Reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the present application, including Claims 20-29, is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully urged.

Respectfully submitted,

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